

**Exhibit B**

**In-N-Out Burgers v. Pappas Restaurants, Inc.  
Original Complaint**

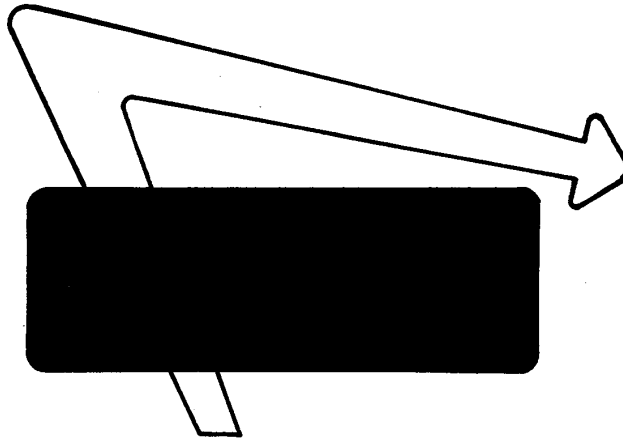
Int. Cl.: 42

Prior U.S. Cl.: 100

Reg. No. 1,646,401

**United States Patent and Trademark Office** Registered May 28, 1991

**SERVICE MARK  
PRINCIPAL REGISTER**



IN-N-OUT BURGERS (CALIFORNIA CORPO-  
RATION)  
13502 EAST VIRGINIA AVENUE  
BALDWIN PARK, CA 91706

FOR: RESTAURANT SERVICES AND  
CARRY-OUT RESTAURANT SERVICES FEAT-  
URING, SANDWICHES, IN CLASS 42 (U.S. CL.  
100).

FIRST USE 0-0-1954; IN COMMERCE  
0-0-1954.  
OWNER OF U.S. REG. NOS. 1,514,689, 1,539,451  
AND OTHERS.

SER. NO. 74-043,571, FILED 3-28-1990.

CHRISTOPHER KELLY, EXAMINING ATTOR-  
NEY



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**Goods and Services** IC 042, US 100, G & S: restaurant services and carry-out restaurant services featuring, sandwiches. FIRST USE: 19540000. FIRST USE IN COMMERCE: 19540000  
**Mark Drawing Code** (2) DESIGN ONLY  
**Design Search Code** 24.15.25 - Other arrows  
 26.11.21 - Rectangles that are completely or partially shaded  
 26.17.12 - Angles (geometric); Chevrons  
**Serial Number** 74043571  
**Filing Date** March 28, 1990  
**Current Filing Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** March 5, 1991  
**Registration Number** 1646401  
**Registration Date** May 28, 1991  
**Owner** (REGISTRANT) **In-N-Out** Burgers CORPORATION CALIFORNIA 4199 CAMPUS DRIVE NINTH FLOOR IRVINE CALIFORNIA 92612  
**Prior Registrations** 1514689;1516560;1522799;1525982;1528455;1528456;1539451;AND OTHERS  
**Type of Mark** SERVICE MARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20100920.  
**Renewal** 2ND RENEWAL 20100920  
**Live/Dead Indicator** LIVE

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**Exhibit C**

**In-N-Out Burgers v. Pappas Restaurants, Inc.  
Original Complaint**

Int. Cls.: 30 and 42

Prior U.S. Cls.: 46, 100 and 101

Reg. No. 1,031,096

United States Patent and Trademark Office

Registered Jan. 20, 1976

Amended

OG Date Apr. 6, 2010

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**



IN-N-OUT BURGERS (CALIFORNIA  
CORPORATION)  
4199 CAMPUS DRIVE  
NINTH FLOOR  
IRVINE, CA 92612

OWNER OF U.S. REG. NO. 994,801.

NO REGISTRATION RIGHTS ARE  
CLAIMED FOR THE WORD "BURGER"  
APART FROM THE MARK SHOWN, BUT  
THE APPLICANT WAIVES NONE OF  
ITS COMMON LAW RIGHTS IN THE  
MARK SHOWN OR ANY OF THE FEAT-  
URES SHOWN.

FOR: CHEESEBURGERS, HAMBUR-  
GERS, FRENCH FRIED POTATOES,  
HOT COFFEE, \* AND \* MILK ], AND  
HOT CHOCOLATE ], IN CLASS 30 (INT.  
CL. 30).

FIRST USE 0-0-1954; IN COMMERCE  
0-0-1954.

FOR: RESTAURANT SERVICES AND  
CARRY-OUT RESTAURANT SERVICES ,  
IN CLASS 42 (INT. CL. 42).

FIRST USE 0-0-1954; IN COMMERCE  
0-0-1954.

SER. NO. 72-452,847, FILED 3-29-1973.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Apr. 6, 2010.*



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**Word Mark** IN-N-OUT BURGER  
**Goods and Services** IC 030. US 046. G & S: CHEESEBURGERS, HAMBURGERS, FRENCH FRIED POTATOES, HOT COFFEE, \* and \* MILK [ , AND HOT CHOCOLATE ]. FIRST USE: 19540000. FIRST USE IN COMMERCE: 19540000  
 IC 042. US 100 101. G & S: RESTAURANT SERVICES AND CARRY-OUT RESTAURANT SERVICES. FIRST USE: 19540000. FIRST USE IN COMMERCE: 19540000

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 07.13.03 - Advertising, signs, mounted or with posts or standards; Street signs (mounted on posts)  
 24.15.25 - Other arrows  
 26.11.21 - Rectangles that are completely or partially shaded

**Serial Number** 72452847  
**Filing Date** March 29, 1973  
**Current Filing Basis** 1A  
**Original Filing Basis** 1A  
**Change In Registration** CHANGE IN REGISTRATION HAS OCCURRED  
**Registration Number** 1031096  
**Registration Date** January 20, 1976  
**Owner** (REGISTRANT) IN-N-OUT BURGERS CORPORATION CALIFORNIA 4199 CAMPUS DRIVE NINTH FLOOR IRVINE CALIFORNIA 92612  
**Prior Registrations** 0994801  
**Disclaimer** NO REGISTRATION RIGHTS ARE CLAIMED FOR THE WORD "BURGER" APART FROM THE MARK SHOWN, BUT THE APPLICANT WAIVES NONE OF ITS COMMON LAW RIGHTS IN THE MARK SHOWN OR ANY OF THE FEATURES SHOWN.  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060114.  
**Renewal** 2ND RENEWAL 20060114  
**Live/Dead Indicator** LIVE

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**Exhibit D**

**In-N-Out Burgers v. Pappas Restaurants, Inc.  
Original Complaint**

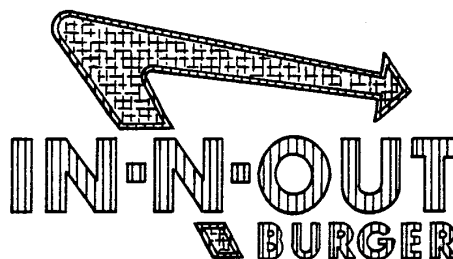
Int. Cls.: 29, 30, 32 and 42

Prior U.S. Cls.: 45, 46 and 100

Reg. No. 1,516,560

**United States Patent and Trademark Office** Registered Dec. 13, 1988

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**



IN-N-OUT BURGERS (CALIFORNIA CORPORATION)  
13502 EAST VIRGINIA AVENUE  
BALDWIN PARK, CA 91706

FOR: MILK AND FRENCH FRIED POTATOES FOR CONSUMPTION ON OR OFF THE PREMISES, IN CLASS 29 (U.S. CL. 46).

FIRST USE 6-0-1987; IN COMMERCE 6-0-1987.

FOR: HAMBURGER SANDWICHES AND CHEESEBURGER SANDWICHES, HOT COFFEE, AND MILKSHAKES FOR CONSUMPTION ON OR OFF THE PREMISES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 6-0-1987; IN COMMERCE 6-0-1987.

FOR: LEMONADE AND SOFT DRINKS FOR CONSUMPTION ON OR OFF THE PREMISES, IN CLASS 32 (U.S. CL. 45).

FIRST USE 6-0-1987; IN COMMERCE 6-0-1987.

FOR: RESTAURANT SERVICES AND CARRY-OUT RESTAURANT SERVICES, IN CLASS 42 (U.S. CL. 100).

FIRST USE 6-0-1987; IN COMMERCE 6-0-1987.

OWNER OF U.S. REG. NOS. 1,023,506, 1,281,821 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BURGER", APART FROM THE MARK AS SHOWN.

THE MARK COMPRISES THE WORDS "IN-N-OUT BURGER" IN THE COLOR RED SUPERIMPOSED OVER A STYLIZED ARROW OF THE COLOR YELLOW OUTLINED IN RED.

SER. NO. 724,430, FILED 4-25-1988.

CHRIS A. F. PEDERSEN, EXAMINING ATTORNEY





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**Word Mark** IN-N-OUT BURGER  
**Goods and Services** IC 029. US 046. G & S: MILK AND FRENCH FRIED POTATOES FOR CONSUMPTION ON OR OFF THE PREMISES. FIRST USE: 19870600. FIRST USE IN COMMERCE: 19870600  
 IC 030. US 046. G & S: HAMBURGER SANDWICHES AND CHEESEBURGER SANDWICHES, HOT COFFEE, AND MILKSHAKES FOR CONSUMPTION ON OR OFF THE PREMISES. FIRST USE: 19870600. FIRST USE IN COMMERCE: 19870600  
 IC 032. US 045. G & S: LEMONADE AND SOFT DRINKS FOR CONSUMPTION ON OR OFF THE PREMISES. FIRST USE: 19870600. FIRST USE IN COMMERCE: 19870600  
 IC 042. US 100. G & S: RESTAURANT SERVICES AND CARRY-OUT RESTAURANT SERVICES. FIRST USE: 19870600. FIRST USE IN COMMERCE: 19870600  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 24.15.02 - Arrows forming any other geometric figure  
 24.15.25 - Other arrows  
 26.17.12 - Angles (geometric); Chevrons  
**Serial Number** 73724430  
**Filing Date** April 25, 1988  
**Current Filing Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** September 20, 1988  
**Registration Number** 1516560  
**Registration Date** December 13, 1988  
**Owner** (REGISTRANT) IN-N-OUT BURGERS CORPORATION CALIFORNIA 4199 CAMPUS DRIVE NINTH FLOOR IRVINE CALIFORNIA 92612  
**Prior Registrations** 1023506;1031095;1031096;1085163;1101628;1101638;1281821;AND OTHERS  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BURGER" APART FROM THE MARK AS SHOWN  
**Description of Mark** THE MARK COMPRISES THE WORDS "IN-N-OUT BURGER" IN THE COLOR RED SUPERIMPOSED OVER A STYLIZED ARROW OF THE COLOR YELLOW OUTLINED IN RED.  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080502.  
**Renewal** 1ST RENEWAL 20080502  
**Live/Dead Indicator** LIVE

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